

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1 PET (1738) FAX (602) 364-1039

VETBOARD.AZ.GOV

Received
11/2/20
R

COMPLAINT INVESTIGATION FORM

If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: Nov. 2, 2020

Case Number: 21-56

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: Dr. Katie Chiles

Premise Name: Exceptional Pets

Premise Address: 200 W Ray Road

City: Chandler State: AZ Zip Code: 85224

Telephone: (480) 426-7590

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:

Name: Dianne Douglas

Address: _____

City: _____ State: _____ Zip Code: _____

Home Telephone: _____ Cell Telephone: _____

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

C. PATIENT INFORMATION (1):

Name: Cloud
Breed/Species: Domestic long hair cat
Age: 14??? Sex: Male Color: White

PATIENT INFORMATION (2):

Name: _____
Breed/Species: _____
Age: _____ Sex: _____ Color: _____

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

Dr. Katie Chiles - Exceptional Pets
2000 W Ray Road, Chandler, AZ 85224
484267590

visiting vet covering on Monday 8/31/2020 - Exceptional Pets
2000 W Ray Road, Chandler, AZ 85224
484267590

E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

do not know the names of the techs who assisted. This was during Coronavirus shut down so was not permitted in exam rooms to see or talk to the Doctors or techs.

Attestation of Person Requesting Investigation

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: _____

Date: _____

F. ALLEGATIONS and/or CONCERNS:

Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

Due to negligence, a dirty exam area or equipment, my cat developed an large abscess on his neck where blood was drawn. I was charged for the followup exams and medications to take care of this abscess. I've tried to contact the Operations manager, Jason, but he handed this off to someone by the name of Carla who contacted me 3 weeks ago and said she was looking into it, but has not contacted me since. I am unable to contact either of them. When I told Carla about the abscess from the blood draw, she said things like that happen all the time. In the 40 years, I've owned cats, I've never had this happen, but would expect the Veterinary Clinic to take responsibility for something that was their fault. My cat really went downhill after having to fight off this infection along with his cancer and finally had to put him down on October 26, 2020

Below is the history:

August 26, 2020 took my cat into Exceptional Pets for an exam which included a blooddraw. There was a lump on my cats elbow that grew larger since last time I saw Dr. Chiles. Mileage 30 miles round trip. 40 minute drive time. Cost \$611.64 for exam

August 31, 2020 took my cat into Exceptional Pets because an abcess developed on his neck where the blood draw was taken and had burst and was draining with a lot of blood and infection running down his chest. Charged for the abscess open and flush, a bottle of RCVD Recovery (didn't use as it had an expiration date of 8/2019 on it), Clavamox drops, 15 ml oral suspension, can of cat food, and subcutaneous fluid. Mileage 34 miles round trip. 40 minute drive time. Cost \$177.14 for exam.

August 31, 2020 prescription called into Elements Compound Pharmacy and had to drive there to pick up when ready later in the day. Mileage 30 miles round trip. 40 minute drive time. Cost \$35 for prescription.

September 2, 2020 followup appointment with Exceptioonal Pets. Charged for bandage. Mileage 34 miles round trip. 40 minute drive time. Cost \$35.00 bandage

September 4, 2020 follow up exam with Eceptional Pets and charge for another bandage. Mileage 34 miles round trip. 40 minute drive time. Cost \$35.00 bandage

September 5, 2020 a prescription was called into Elements Compound Pharmacy as my cat stopped eating and and was loosing weight fast. Mileage 30 miles round trip. 40 minute drive time. Cost \$45.85 prescription

September 5th, 2020 had to return to Exceptional pets for more Clavanix driops. Doctor wanted to give the medication for 10 days, but only gave me enough for 6 days so needed more. Mileage 34 miles round trip. 40 minute drive time. Cost \$40.60 drops

Septembeer 16, 2020 Followed up appointment too see how it was healing. Mileage 34 miles round trip. 40 minute drive time. Cost \$0. Prescription called in for pain.

September 16, 2020 drove to Elements Compound Pharmacy foto piick up prescription. Mileage 30 miles round trip. 40 minute drive time. Cost \$34.85 prescription.

November 10, 2020

In re: 21-56 (Kathleen Chiles)

To Whom It May Concern:

Received
11/10/2020

Past Relevant History:

"Cloud" Douglas, a "14-year-old" MN DLH cat, first presented to Exceptional Pets in Chandler on 5/16/2020 for weight loss and swelling on his R elbow. Patient was diagnosed with an aggressive tumor on the R elbow region. I also discovered that he had an abscess on his dorsal lumbar region that the owner was not even aware of. Every time he presented, Cloud haircoat was matted and unkempt.

Previous records state Cloud as being 17 years old. Additionally, he had previously been diagnosed with another abscess at McClintock Animal Care Center 6/4/2019.

Cloud was again seen for an abscess at AVECCC in Gilbert on 4/18/2018.

This patient, historically, seems susceptible to developing abscesses.

Current Complaint History:

Patient presented on 8/26/2020 to recheck weight loss and the right front tumor. Radiographs revealed severe osteolysis with a pathological fracture of the right ulna. I explained at that time the prognosis was very poor and quality of life should be considered. Referral for surgical consultation and oncology were offered several times. Ms. Douglas declined all referral. She elected palliative care.

An abscess developed again, this time near the right jugular vein where blood was collected. Adam Christianson was the veterinary assistant that performed the venipuncture and Alicia Bonneau restrained the patient on 8/26/2020

We have a strict policy of using a new sterile needle and syringe for every blood collection and to my knowledge that policy has never been violated. We also use a small amount of isopropyl alcohol (70%) to help flatten the hair for better visualization of the vein. Our clinic is brand new and all surfaces are cleaned with Rescue disinfectant between every patient. Additionally, with new COVID protocols, all areas are cleaned several times a day, regardless of use. Technicians and doctors wash their hands between every patient.

Owner called to report the abscess on 8/31/2020 and was examined and treated by a relief veterinarian, Dr. Cesar Ruiz. Alexa Dynes was his veterinary assistant on that visit.

For all the follow up visits, exam and bandage changes, the owner was not charged for the recheck exam or the wound care. Those services were discounted as a courtesy. She was charged for medications and bandage materials. Owner declined to use an e-collar and keep the neck bandaged as directed several times. She removed and re-bandaged the neck several times on her own, despite being instructed not to do so. Ms. Douglas tends to forget entire conversations including medication instructions, discharge instructions, laboratory result conversations, including emails that were date and time stamped.

The abscess healed without complications. Patient continued to receive medications for palliative pain management for the RF suspected sarcoma that was causing lameness issues. He was euthanized at an unknown facility in 10/2020.

Dianne Douglas asked to speak to a manager about getting the other charges reimbursed. TJ Shaw, our CSR, referred her to Scarlett Heydt, our hospital director, Ken Schneider, the facilities manager and Jason Brown, the VP of Operations, to resolve the issue. You can see in Scarlett's communication that their call was dropped and she was unable to contact the owner again before Scarlett left the company. Scarlett told me that she asked Jason Brown to continue to follow up with the owner to resolve the financial concerns of Ms. Douglas. I was not involved in any of the discussions regarding reimbursement at this point.

In closing, I stand behind the veterinary care provided in this case and believe the owner elected humane euthanasia for medical reasons that were unrelated to the abscess we successfully treated. Thank you.

Contact information for employees involved with the incident:

1. Adam Christianson [REDACTED]
2. Alicia Bonneau [REDACTED]
3. Alexa Dynes [REDACTED]
4. Dr. Cesar Ruiz [REDACTED]
5. TJ Shaw [REDACTED]
6. Scarlett Heydt [REDACTED]
7. Jason Brown [REDACTED]

At Exceptional Pets, we pride ourselves in upholding the highest standard of care and cleanliness. Please let me know if you need any additional information or clarification.

Sincerely,



Katie Chiles, DVM

DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

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INVESTIGATIVE COMMITTEE REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: PM Investigative Committee: Adam Almaraz - Chair
Amrit Rai, DVM
Cameron Dow, DVM
Brian Sidaway, DVM

STAFF PRESENT: Tracy A. Riendeau, CTV - Investigations
Marc Harris, Assistant Attorney General

RE: Case: 21-56

Complainant(s): Dianne Douglas

Respondent(s): Kathleen Chiles, DVM (License: 6300)

SUMMARY:

Complaint Received at Board Office: 11/2/20

Committee Discussion: 5/4/21

Board IIR: 6/16/21

APPLICABLE STATUTES AND RULES:

Laws as Amended August 2018
(Lime Green); Rules as Revised
September 2013 (Yellow)

On August 26, 2020, "Cloud," a 14+-year-old male domestic long hair cat was presented to Respondent for due to weight loss and right elbow tumor. Radiographs and blood work were performed.

On August 31, 2020, Complainant reported that the cat had developed an abscess at the site of the blood draw. The abscess was treated and resolved.

Complainant alleges that Respondent did not take responsibility for the incident and felt the cat's condition worsened due to the infection and the cancer diagnosis. The cat was humanely euthanized in October 2020.

Complainant was noticed and appeared.

Respondent was noticed and appeared telephonically. Counsel, David Stoll, appeared.

The Committee reviewed medical records, testimony, and other documentation as described below:

- Complainant(s) narrative: Dianne Douglas
- Respondent(s) narrative/medical record: Kathleen Chiles, DVM

PROPOSED 'FINDINGS of FACT':

1. Respondent stated the cat was first presented to her in May 2020 for weight loss and swelling on the right elbow. The cat was diagnosed with an aggressive tumor in the area of the right elbow. Respondent stated that she identified an abscess on the dorsal lumbar region that Complainant was not aware of. Respondent noted that each time the cat was seen, the fur was matted and unkempt.
2. According to Respondent, previous medical records showed the cat was 17-years-old and had been diagnosed with an abscess in 4/2018 and in 6/4/2019.
3. On August 26, 2020, the cat was presented to Respondent for weight loss and a tumor on the right elbow. Complainant reported that the cat was limping on the right forelimb. The cat jumped off a table and injured himself. The mass on the right elbow was suspected to be a sarcoma and Complainant declined amputation.
4. Upon exam, the cat had a weight = 11.6 pounds (5/20 wt = 13.6 pounds), a temperature = 102.8 degrees, a heart rate = 210bpm and a respiration rate = 50rpm; BCS 2/5, QAR. There was a firm SQ mass over the right lateral elbow; the cat had a grade 4/5 lameness if the right front, which was painful on palpation of the proximal right ulna. The right carpus had medial deviation that was exacerbated with weight bearing; possible radial luxation. Respondent's assessment was right carpal luxation and suspected sarcoma with bone involvement of the right ulna. She expressed concern that the cat was losing weight despite Complainant reporting very good appetite. Radiographs and blood work were recommended which Complainant approved.
5. Radiographs were performed of the right elbow and carpus and revealed severe lysis and pathological fracture of the right proximal elbow. There was also severe DJD of the right elbow and right distal radius was deviated medially. Respondent reported her findings to Complainant – she explained there was a slight change the bone lesion could be Valley Fever but suspected an aggressive sarcoma. Complainant approved blood work to recheck renal values, thyroid levels, and a Valley Fever titer.
6. Respondent recommended increasing the gabapentin dose. If the cat had cancer, limb amputation would be the only treatment but she did not feel the cat would make it through the surgery.
7. The following day, Respondent relayed the blood results to Complainant:

RBC	6.92	7.12 – 11.46
WBC	20.7	3.9 – 19.
NEUTS	18.402	2.62 – 15.17
MONOS	0.828	0.04 – 0.53
CALC	7.9	8.2 – 11.2
T. PRO	5.6	6.3 – 8.8

ALB

2.2

2.6 – 3.9

8. On August 31, 2020, the cat was presented to Respondent's premises and saw relief veterinarian, Dr. Ruiz, for possible abscess at the blood draw site. Complainant reported that the abscess was open and the cat's appetite had diminished since the last visit. The cat was examined; the cat was dehydrated and had an open drained abscess at right venipuncture site, SQ tissues were exposed, localized area of sub-dermal necrosis, no active hemorrhage or discharge. The cat had muscle wasting and weight loss; right front leg was tender and inflamed with a history of possible bone neoplasia.

9. Dr. Ruiz's assessment was possible bone neoplasia, draining abscess at possible venipuncture site; rule-outs was immune-suppressive condition. He clipped and drained the area, explored the cavity, excised visible sub-dermal necrotic tissue, and flushed with diluted chlorhexidine and sodium chloride multiple times. The cat was administered SQ fluids and discharged with Clavamox drops, Cipro/Famotidine transdermal, and Recovery liquid. Complainant was instructed to keep the area clean and disinfected. Complainant reported that the Recovery liquid she received was expired.

10. Respondent stated that the cat presented for recheck appointments and bandage changes. Complainant was not charged for the recheck exams or wound care, however she was charged for medications and bandage materials. Respondent relayed that Complainant refused to keep the Elizabethan collar on or the neck bandages as instructed.

11. The cat's abscess resolved. Respondent stated the cat continued to receive medications for palliative pain management for the right front leg suspected sarcoma that was causing the cat's lameness issues.

12. Respondent stated that they have a strict policy of using a new sterile needle and syringe for every blood collection. Isopropyl alcohol is used to help flatten the pet's fur for better visualization of the vein. The clinic is new and all surfaces are cleaned between every patient and are cleaned several times a day regardless of use due to new Covid protocols.

13. Complainant felt the abscess on the cat's neck was the responsibility of the premises and claims the cat's condition worsened due to the infection along with the cat's possible cancer.

14. Complainant had conversations with management to attempt to resolve the financial concerns. Respondent stated she was not involved in reimbursement discussions.

COMMITTEE DISCUSSION:

The Committee discussed that it is very unusual to have a blood draw associated abscess. The Committee felt that it was more likely the cat's immune system was suppressed due to the neoplasia present; the cat has had other abscesses in the past, even after being kept indoors,

and had never had a feline leukemia test performed. Having an active FIV can predispose a cat to abscesses, dental disease, etc. The Committee felt the premises practiced proper hygiene in the blood draw. Alcohol was used to prep the blood draw site, as well as using a new needle.

Even if the abscess was secondary to the blood draw, it was not intentional, and there are costs associated with treatment. However, Respondent's services for the care of the cat were complimentary.

COMMITTEE'S PROPOSED CONCLUSIONS of LAW:

The Committee concluded that no violations of the Veterinary Practice Act occurred.

COMMITTEE'S RECOMMENDED DISPOSITION:

Motion: It was moved and seconded the Board:

Dismiss this issue with no violation.

Vote: The motion was approved with a vote of 5 to 0.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.

TR

Tracy A. Riendeau, CVT
Investigative Division